

PATENT
Attorney Docket No. 227540
Client Reference No. E-168-2001/1-US-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Griffith et al.

Group Art Unit: Unassigned

Application No. Unassigned

Examiner: Unassigned

Filed: March 3, 2004

For: TRANSDUCTIN-1 AND
TRANSDUCTIN-2 AND
APPLICATIONS TO HEREDITARY
DEAFNESS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under

37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
 - the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
 - or*
 - the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- Copies of all of the references listed on the enclosed Form 1449 are enclosed herewith.
- This patent application was filed after June 30, 2003. Accordingly, copies of U.S. patents and patent application that are listed on the accompanying Form 1449 are not enclosed herewith (see Official Gazette Notice of August 5, 2003). Copies of other references identified on the accompanying Form 1449 are enclosed herewith.
- Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- A copy of the foreign search report is enclosed herewith.

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U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

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Fees

No fee is owed by the applicant(s).
 The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

Method of Payment of Fees

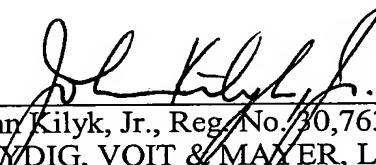
Attached is a check in the amount of \$. . .
 Charge Deposit Account No. 12-1216 in the amount of \$. . . (A duplicate copy of this communication is enclosed for that purpose.)

Authorization to Charge Additional Fees

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Instructions as to Overpayment

Credit Account No. 12-1216.
 Refund


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(312) 616-5700 (facsimile)

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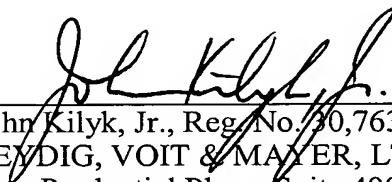
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Date: March 3, 2004

Please type a plus sign (+) inside this box →

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Unassigned
				Filing Date	March 3, 2004
				First Named Inventor	GRIFFITH et al.
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	1	Attorney Docket Number	227540

U.S. PATENT DOCUMENTS					
Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication
		Application or Patent Number	Kind Code		
	AA	6,040,138		Lockhart et al.	Mar. 21, 2000
	AB	6,197,506	B1	Fodor et al.	Mar. 6, 2001
	AC	6,485,908	B1	Petit et al.	Nov. 26, 2002

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**
	AD	WO	98/00014	A1	Regents of the University of California	Jan. 8, 1998		
	AE	WO	99/09210	A2	Institut Pasteur	Feb. 25, 1999		

OTHER - NON PATENT LITERATURE DOCUMENTS							
Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.				Translation	
		Yes	No**				
	AF	COREY et al., "Ionic Basis of the Receptor Potential in a Vertebrate Hair Cell," <i>Nature</i> , Vol. 281, pp. 675-677 (1979)					
	AG	HUDSPETH et al., "Sensitivity, Polarity, and Conductance Change in the Response of Vertebrate Hair Cells to Controlled Mechanical Stimuli," <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 74 (6), pp. 2407-2411 (1977)					
	AH	JAIN et al., "A Human Recessive Neurosensory Nonsyndromic Hearing Impairment Locus is a Potential Homologue of the Murine Deafness (dn) Locus," <i>Hum. Mol. Genet.</i> , Vol. 4 (12), pp. 2391-2394 (1995)					
	A1	KURIMA et al., "Genetic Map Localization of DFNA34 and DFNA36, Two Autosomal Dominant Non-Syndromic Deafness Loci," <i>Am. J. Hum. Genet.</i> , Vol. 67, p. 300, Poster no. 1654 (2000)					
	AJ	KURIMA et al., "Genetic Map Localization of DFNA34 and DFNA36, Two Novel Autosomal Dominant Nonsyndromic Deafness Loci," <i>ARO Abstracts</i> , Vol. 24, p. 265, Abstract no. 949 (2001)					
	AK	KURIMA, et al., "Dominant and Recessive Deafness Caused by Mutations of a Novel Gene, <i>TMC1</i> , Required for Cochlear Hair-Cell Function," <i>Nat. Genet.</i> , Vol. 30, pp. 277-284 (2002)					
	AL	SCOTT et al., "Refining the DFNB7-DFNB11 Deafness Locus Using Intragenic Polymorphisms in a Novel Gene, <i>TMEM2</i> ," <i>Gene</i> , Vol. 246, pp. 265-274 (2000)					

Examiner Signature		Date Considered	
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* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).